ers, so as to include venders of brooms and wooden-are.
Redistricting the city-The report in favor of appointing a Select Committee of three from each Board to consider the expediency of re-districting the city

to convenient election districts was concurred in.
Adjourned to Thursday at 6 p. m. WIDENING OF READE STREET.

WIDENING OF READE STREET.

The Committee on Streets of the Board of Councilmen met yesterday aftersoon at 3 o'clock, to hear estements for or against the report of the Aldermen, etting the time for the commencement of operations a the widening of Reade street on the 1st of May. Res. H. McCurdy was present, and urged immediate commencement, for the reason that the owners of expansive buildings put | p in that neighborhood were greented from doing business therein three months larger than was necessary. oper than was necessary.

J. Massfield Davies argued for an exception with

regard to the establishment represented by him, as the laking down of his store would curtail them three mouths in their business. He wished the Committee mouths in their business. He wished the Committee to decide for the 1st of August. The Committee ad-journed without announcing their decision.

AMERICAN INSTITUTE FARMERS CLUB.

AMERICAN INSTITUTE FARMERS CLUB.
Mosdar, April 25.—Wn. Lawton, Chairman;
Under Mrios, Secretary.
The Farmers Club field its first meeting to-day at
noon, in its new location, Room No. 24 of the Cooper
institute building, having leased rooms there for the
next three or five years. The meeting, considering it
had been mistakenly advertised for next Monday instead of to-day, was well attended by both men and gomen. Among the miscellaneous matters discussed during the hour devoted to such business were the

during the hour devoted to such business were the fellowing:

The New French Seedling Potato,—Dr. Houron presented a sample of the "Decaigsne Potato," from a French Seedling. It is cultivated by Pliny M. Forward of Southwick, Mass., and is esteemed by him, as well as by all who know it in France, as the best ever caltivated. Dr. Holton obtained two tubers, and sent them to Mr. Forward two years ago, and from this small beginning it is hoped an improved potato will be introduced into general cultivation in this country. Several were distributed to members present, and information given as to where seed could be purchased. A sample of the potato cooked was passed around, and we think generally approved. Its looks were cercertainly favorable.

The next Cattle Show.—Solon Robinson called up the question of the next cattle show of the Institute, as he said, with a view to create an influence upon the Board of Managers, to induce them to make a cattle show more worthy of a National—Institute than some of its predecessors had been. The truth is, said he, the show of stock, and agricultural matters, has generally been made a sort of tail-piece to the Annual Fair, and treated as of but little consideration. Now, what I want is, to see it made the head instead of the seal and such inducements offered to farmers that they

shat I want is, to see it made the head instead of th tal, and such inducements offered to farmers that they vill get up a national show worthy of the name. Let us agitate the subject.

Prof. RESWICK, the new President of the Institutelam glad to hear this subject brought up for discussion the Farmers' Club. I fully agree with the gentle an upon the importance of the agricultural exhibi-ion, and particularly the cattle show, and am pleased to form the Club that we have already had the question fore the Board, and I hope the subject will be kept eye, and that the next show will be one that will give disfaction and do much good.

stisfaction and do much good.

GEO. M. ATWATER of Springfield, Mass., said—I m delighted to hear that the Institute will take measures to improve this part of its annual show, and I lad hoped to hear from Mr. Robinson, that horses bould be made a leading object, and then I think you may look to Massachusetts for a little help; and since the United States Agricultural Society will probably be United States Agricultural sceley with produced biold its next show at the West, there will be a grand opportunity for this Institute to get up a good show.

Solos Konissos—I shall continue to agitate the sabject, and from what the President of the Institute has said, I do believe it will have this year a good cattle show.

The Sandusky Raspberry.—The Chairman and the Sandusky Raspberry.

bounced that he would, after the adjournment, distrib-te a couple of hundred raspberry plants, of a very bardy variety, from Sandusky, Ohio; plants that, althe a couple of hundred raspberry plants, of a very bridy variety, from Sanducky, Ohio; plants that, although not bearing as full as some of the tender sorts, are able to stand the severe Winters, and are ready to grow and bear fruit the next season.

The Moon: Its Influence upon Plants and Animals.

-Solos Robisson—I hold in my hand a letter of inquiry about the influence of the moon upon vegetation and other farm matters, the writer of which, alluding to the common supersition upon the subject.

and other farm matters, the writer of which, aluding to the common superstition upon the subject, wants the matter discussed, and if the supposed lunar influ-ence is all superstition, let it be said so in a manner that will convince some of the believers in the moon's in-

Judge Mrigs-It is in vain, says a very scientific Judge Mrios—It is in vain, says a very scientific European, to say anything upon meteorology. The variation of the weather is so great in different locali-lies that no rule will serve for all. But, in regard to the moon's influence upon growing vegetables, all the earned men in Europe are well agreed that it can have no effect whether seed is sown in the old or new of the moon. Innumerable experiments have been in-stituted by the scientific to prove this great fact. Prof. Kenwick—Arago has stated that, so far as it concerns planting crops or killing animals, the moon

concerns planting crops or killing animals, the moon has no induence whatever. It is established that storms are more likely to occur in certain stages of the moon than in others; but no theory can be established to fix rules for operations in life, and no regard need be raid to the phases of the moon.

be paid to the phases of the moon.

R. G. PARDEE—There are willions of dollars lost in R. G. PARDEE—There are millions of dollars lost in this country by depending upon the moon more than the fitness of the weather. Call it superstition, or the want of knowledge, or what you will, the great fact exists, that many people will not plant or sow until the moon is right, and crops are often lost by missing a favorable moment, when, as the farmer believes, the moon is wrong. I hope what Judge Meigs and Prof. Remyck have said will tend toward correcting this strongly-grounded belief in the moon's influence.

Solor Remyson—No matter that it is a false notion.

Solon Robinson-No matter that it is a false notion Solon Robinson—No matter that it is a lase notion; its true that it exists, and greatly to the injury of be-severs in it. Yet I don't know that it is any more re-markable than it is that three-fourths of the farmers do not believe in the barometer—they scout the idea of one who has one being able to forestell rainy weather, and so secure hay, while they are cutting more to spoil in the compine storm.

the coming storm.

Mr. VAN OUTEN I think the andready about the use Mr. Van Outen I think the adment's about the use of the baromete is for a war of knowledge of its value. That is the reason why it. — more general use. There is, to be sure, a great dear of superstition smong farmers about the moon and other things, but it is more for a want of knowledge of the truth among the old farmers. But the rising generation will improve, for they are readers—they take the daily papers. People in the country, too, read with interest the discussions of this Club, and derive great benefit. So we should be careful not to advance any opinions that are not practical, or that cannot be made applicable. There is no calculating the good influence of a good paper upon a farmer's family.

Judge Maios—The descriptions of Strabe of the weather are so much like the modern descriptions, that I have often been surprised at the sameness. There does appear to be no variation. The same fogs of London, the same clear sky in France, the same supersitions about the moon's influence.

of London, the same clear sky in France, the same superstitions about the moon's influence.

Mr. Pandee—These almost universal superstitions have done an immense amount of harm, but such discussions as these are well-calculated to do good. They will tend to show the class of persons, or their children, who read, that many learned men have no faith in a belief in the influence of the moon.

Mooden Rags.—Solon Robinson—A correspondent writes to know what is the value for manure of woolen rags, and how to use them.

Judge Mkios - I always bury all old rags about Pants, and they are very beneficial.
Prof. Reswics—Old rags in Europe have a commer-

R. G. PARDEK—In this country old woolen rags appear to be worth from 2 to 4 cents a pound. I think the best way to use them is to compost the m in the manure heep. There is no doubt that they are much nore valuable than many substances that a farmer could buy for manure, while he would throw away the old race.

The use of Lime as a Manure. - This, the regular

The Secretary read from an advanced sheet of the next number of The Working Farmer an article, translated from a French paper, upon the different kinds of phosphates of lime, which discusses the questranslated from a French paper, upon the different kinds of phosphates of line, which discusses the question very fully and scientifically of mineral phosphates, showing that although the chemical analysis of mineral phosphate and bone phosphate would be the same, yet the bones are altogether superior—in fact, of immense value to the farmer, while the mineral phosphate would be useless. The same fact also exists in regard to carbonate of line—that from animated life, for instance shells, is far more valuable to the farmer than that from mineral rocks.

The chemists of the Academy of Science—the national French Institute—Mesers. Boussingault and Mona, are fully satisfied upon the advantage of using bones dissolved by sulphuric acid, hones being always dissolvable in acid, while the mineral phosphate is not extirctly so. This examination of the subject by such than that from mineral rocks. estirely so. This examination of the subject by such estirely so. This examination of the subject by such estimates the continuous fall of the club, by Prof. Mapes and others, upon the subject of progression of primaries in organic life.

We. Lawron spoke at some length upon the power

of plants to take up the substances that their rock come in contact with; some of which produce healthy growth, and some certain death. The study of this fact shows how very important it is to feed the of this fact shows how very important it is to feed the growing plants with the right kind of pabulum.

Dr. HOLTON—The farmer should not only study his pockets.

chemical laws, but organic laws, because by the laws of progression in organization, a great change occurs in the chemical elements. He spoke also of the adactage of the use of the microscope to farmers who lessre to study into the wonderful laws of nature. He also spoke of the fertility of the battle-field of Wateroo, in consequence of the bones and blood left to demy and fertilize the earth.

by and fertilize the earth.

Mr. Lawron-Marl, Prof. Johnson says, varies so Mr. Lawron-Mari, Prot. Johnson says, varies so much in character that no certain rule can be adopted for its application. An excess of time will injure soil not full of vegetable matter. In the common application of time, the physical condition of the soil may be changed by an excess of the mineral. Sir Humpbrey Davy says, that lime applied to common boggy grass will make the land productive of sweet, nutritious grass. An application of marl has the same effect as lime, and the effect continues many years. But a continuous use of lime without putting in vegetable or animal matter, will exhaust any land not very rich in

vegetable matter.

Gypsum is another form of lime, its fertilizing powers being sulphuric acid and carbonate of lime.

Gypsum is another form of lime, its fertilizing powers being sulphuric acid and carbonate of lime. A person at New-Rochelle sowed plaster upon a nearly worn-out field, several years ago, and that alone renovated it and made it very productive.

Mr. AIWATER of Springfield said he did not think there is a single acre of light land in the country that would not be benefited by the use of lime. My plan, he said, is to use about 20 bushels per acre of lime, after it is slacked by brine; that is, one bushel of sail to three bushels of unslacked lime. As to plaster, I apply 80 to 100 pounds per acre, and prefer small quantities every year, sown in Winter, when other work is not pressing.

Mr. Moony, of New-versey—The course that I adopt on a clayey loam is to sow about 60 bushels of slacke line per acre, and that eradicates a large portion of source and sour grasses. I follow with two pushels of gypsum, in a moist day, upon the grain or grass when it is growing. This has increased the production of a small place, from the keeping of one cow and a horse, to ability to keep twenty head of stock, the manure of the head of the cow and the fertility without repealing the which will keep up the fertility without repeating the

ming.
Mr. ATWATER-I sometimes mix finely pulverized

Prof. RESERVICE—There are many matters that occur in ordinary conversation that are not exactly scientific. It is stated that lime on sandy soil makes it more tena-It is stated that time on sandy soil makes it more tena-cious. So it is that vegetables are decomposed by lime, so as to fit them for as milation by growing plants. The particular mineral constituents of plants show lime in some form in all useful food plants. Lime gives wheat its great value, and makes bread the staff of life. Lime is a constituent of bones, and rice-eating people never have as large bones as wheat-eating people, yet rice is nutritious, but it has not the bone material. Lime is a nutritious, but it has not the bone material. Lime is a necessity of the peach tree. The stone is a calcarious substance. The locust tree cannot grow large where there is no lime in the soil. There are many portions of our country where sulphate of lime has not been found advantageous. But where carbonate of lime has been previously used, the sulphate is generally found advantageous. The carbonate of lime, of all other salts, has the strongest attractions for gases. Manure in a sandy soil sends off its gases to other fields, but if lime is mixed with the soil the gases are absorbed. When a furmer applies slacked lime, it is brought back to its original mineral condition; but in a very pulveralent state, suited to the plant's use. Where lime is made of cyster shells it would be better to grind than to burn and slack them, to get them pulverulent. This is proved by spots where large quantities of cyster is proved by spots where large quantities of oyster shells have been pulverized by long working the soil. True marl is a sort of soft chalk, containing a large

True marl is a sort of soft chalk, containing a large percentage of fine shells.

It is impossible to give any rule for the exact quantity of lime per acre. In England 600 bushels of pure lime have been applied to an acre of clay soil with advantage, and 200 bushels to sandy soil. The reason why only 20 or 30 bushels of lime is used per acre here is that our limestone is nearly all magnesian, and the slacked lime remains lumpy, and these lumps injure vegetables whenever they come in contact with them. The lime applied in England was pure carbonate. Much of our common limestone is not pure carbonate, and hence lesser quantities must be used. As a general rule, all land that bears sorrel contains oxalic acid, and all such land requires lime to make it productive of food-producing crops.

oxalic acid, and all such land requires lime to make it productive of food-producing crops.

Solos Robissos—The common practice at the South is to apply 30 bushels of slacked lime, which is equal to 15 bushels unslacked, per acre for four years, seeding clover with all small grain, and a crop of that plowed in fits the land with a good coat of manure for the next crop. Lime never should be mixed with manure while exposed to the air, as its office is to decompose all animal and vegetable substances, and if exposed, the ammonia is dissipated. If buried in the earth, the clay absorbs the ammonia, and holds it ready for the use of useful plants. In the use of lime, the farmer should first inquire, what do I want to use lime for? Let him remember that, as he understands the term, it is not a manure. Its office is to assist in converting other substances into manure, and giving of its own substance the necessary portion for their perfection. In my opinion, lime may be used at the rate of 30 bushels per acre, upon all or nearly all the old cultivated land in the northern States to a very decided profit to the owners.

The eart negative will be held May 9, at noon. profit to the owners.

The next meeting will be held May 9, at noon, hen a number of subjects on the docket will be

MARINE AFFAIRS. NAVAL.

The Fulton's arrival at Washington (of which we gave an extended notice yesterday, brings us five days' later news from Montevideo. The following are the present positions of the vessels composing the Paraguay Expedition:

The flag-ship Sabine to leave " the Mount' for New-York direct on the 21st of March; frigate St. Lawrence, Commodore Forrest, now over 50 days at sea, and fully due at Boston; sloop-of-war Falmouth, to sail in a few days (the Falmouth, as well as the St. Lawrence has been over two years on the Brazil station); sloop-of-war Preble, to remain in South America: brigs Perry, Dolphin and Bainbridge, to remain out for a short time, all at Montevideo; steamer Water Witch, now fully due at Norfolk, where she is expected to arrive this evening; steamer Atlanta, whose captain had been tried by court-martial, as reported, was to leave Montevideo for New-York on the 22d of March, as were also the steamers Memphis, Westernport and Caledonia, and the Southerner for Norfolk in a few days after. No disposition had been made of the condemned steamer Metacomet up to the departure of the Fulton; the steamer Chapin was being fitted up as well as circumstances would

allow. The officers who remained on the Brazil Squadron expect to be relieved about the middle of June. The Bainbridge, it will be remembered, had already nearly finished a two years' cruise on the coast of Africa when she was ordered to join the Expedition, and the Perry has been out over two years at this date. The Dolphin, however, was specially fitted for the squadron, and will probably remain out two

years longer. The Fulton came to the Washington Navy Yard on yesterday morning, and will be put out of commis tion, it is expected, very soon.

The crew of the Harriet Lane were paid off and discharged at Brooklyn yesterday.

MARINE LOSSES FOR APRIL. The aggregate losses at sea, during the month of April, among American shipping, and vessels trading to and from American ports, foot up \$983,500, upon 43 vessels, of which ten were ships, five barks, nine brigs, and 19 schooners. This does not embrace damages not amounting to a total loss. The figures

of the year, so far, are:	Veneels.	Value. \$1,109,000
Total losses for January. Total losses for February, (corrected). Total losses for March, (corrected). Total losses for April.	45	\$1,109,000 838,000 825,230 990,560
Total for four mouths	114	\$3,810,700 2,476,340 8,161,500

FOR EUROPE. The Hamburg mail steamer Saxonia, Capt. Ehlers, left yesterday afternoon for Southampton, Havre, and Hamburg, with 327 passengers, and \$125,000 in specie.

THE COLONIZATION PACKET. The Mary Caroline Stevens, from Liberia, about whose safety fears were entertained, arrived at Baltimore on Saturday, having been since February 24 on

the passage. THE GENERAL ADMIRAL.

The Russian steam-frigate General Admiral, will will leave the Novelty Iron Works foot of Tenth street, E. R., to-morrow morning (3d inst.) at 9 o'clock, on an engineer's trial trip, and on her return will go to the Collins Dock, foot of Canal street, N. R.

ARREST FOR MAIL ROBBERY .- The Postmaster at Dedsenville, Highland Co., Ohio, has been arrested for opening letters and abstracting money. His name is Adam Orebaugh. The stolen money was found in THE GREAT GOLD DUST SWINDLE.

The examination in this case was resumed vesterday afternoon at the City Hall Police Court. The courtroom was crowded to excess, a large number of the persons present being witnesses for the parties accused. Mr. Spencer said he held in his hand the confession of Mr. Beilinger, one of the witnesses against Hodges stating

Mr. Spencer said he held in his hand the confession of Mr. Bellinger, one of the witnesse against Hodges, stating that he had been to the State Prison. He wished to introduce it to show the character of the evidence brought to implicate Hodges in this alleged compiracy. His defense was, that it was a conspiracy to extort movey from Hodges.

Mr. Wm. Branch was then sworm as witness for Mr. Hodges—I know Mr. Hodges, and also Mr. Taylor, by sight; also Mr. Bradford; I was present at Mr. Hodges place of business when Mr. Taylor called there about the gold dust; the conversation occurred in the front office west the doot of the back office; I was there until Taylor left; Mr. He iges and it Mr. Taylor, "I would have nothing to do with that gold if I were you, unless it was a straightforward and ignificants hustness over your counter."

I was there until Taylor left; Mr. He iget and to Mr. Taylor, "I was there until Taylor left; Mr. He iget and to Mr. Taylor, "I would have nothing to do with that gold if I were you, unless it was a straightforward and legitimate business over your counter." Mr. Taylor wasked simest immediately away, nothing else was said; he was there about five minutes.

Cross-examined—I am a real estate agent; have no office; stop at Hodge's to get my letters; they come there sometimes, and sometimes not, I think Taylor was not in the small back room before this conversation! have just related occurred; I was in the back office when I heard this conversation; Mesers. Taylor and Hodge's were standing near the door that leads to the back office; bothing occurred between them to give me to understand that it was a private interview; I have stated all the words! heard spoken between the parties; I cannot say that there was nothing else said; I know Hodge's handwriting. [Here the witness was shown the alleged letter of introduction, which Hodge's handwriting; I contraduction, which Hodge's handwriting; I contraduction which that was Mr. Hodge's handwriting; I contraduction, which Hodge's handwriting; I contraduction the office after this conversation, and think it was next day; Mr. Hodge's was sitting in his chair, in the rear office, at the time Mr. Taylor called, when he left it and went to the door; do not think anything more could have been worken between Mr. Hodge and Mr. Taylor. or I must have heard it; knew nothing about the gold dust unti-ten; cannot positively say what day this was. Mr. John Hope was then brought forward, but Mr.

man, and recommended that he should be sent for, which was
Mr. John Hope was aworn—Was at the office of
Mr. Hodges, and saw a man with a slouched hat, resembling Mr.
Radeliffe, come there; Mr. Hodges told me that there was a man
who had gold dust to sed, and asked me whether I thought
there was anything to be made by it; told him it was uncertain
to buy gold dust from a stranger; and I would not buy a large
amount on my own judgment; have great doubt of ever seeing
Radeliffe at Hodges's office; I only judge by his dress; I believe
him to be the man, however, and saw him two or three times there;
went to a clerk of Mr. Beebe's establishment in Wall street, and
asked rim whether he was able to judge as so the value of gold
dust; he said he was, and I gave him a sample to try with acid,
did not join in a conversation about the gold dust with Hodges and dust; he sain he was, and I gave him a sample to try with acid; did not join in a conversation about the gold dust with H-siges and Brasiford; remember bearing of Taylor being swindled with gold dust shortly after it occurred, and said that "I would bet it was the same person who had been here with the gold dust; asked Mr. Taylor if he had been swindled as it had been stated, and he answered that he was not; he denied it; knew of one application made to Mr. Taylor to buy the dust; recognize the note." Bradford to Mr. Taylor, sizued by Mr. Hodges, as the latter's hand-writing; the first I knew of the swindle upon Mr. Taylor was when I saw it in the newspapers.

Mr. Bellinger, surnamed the Reverend, from some parts he had acted in the scheme, was was bere ushered into the Court-room, his appearance causing a general intering, and exciting a hot discussion among the opposing counsel as to his coupting as a witness. He was placed upon the stand and testified—I was in the State Prison in 1854; money was the cause of taking me there. Dismissed as incompetent.

taking me there. Dismissed as incompetent.

J. S. Bradford was next sworn—Declined to answer.

Judge Stuart said it was too late for him to put up that plea, having sworn to details in this case, and he must now stand by them, or commit contempt of

Court, or perjury.

Mr. Clinton here rose, and said that Mr. Bradford told him the manner in which he had been dragooned into making an affidavit in this case. He (Mr. Bradford) occupied the anomalous position of a party and at the same time a witness in the case, and there was no power in existence to make him answer a question which might tend to criminate him.

The position was acceded to by Mr. Chatfield; but

Judge Stuart said that Mr. Bradford was the first person who disclosed the swindle to the police, and insisted that he was not dragooned into the course he had taken. Mr. Clinton answered that Bradford had made an affidavit directly contrary to the facts he stated to

Deputy-Superintendent Carpenter, fearing, from what was told him, that he would go directly to the State Priso., if he did not do so. There were parties in the Court room, he said, who could throw light upon this point.

Mr. Bradford's testimony was then ordered to be stricken out.

Mr. Spencer read an extract of the law establishing the point that Mr. Radeliff was not to be a witness The only evidence then remaining was that of Mr.

Mr. Radeliff here whispered anxiously into the ear of his counsel that he had sold nothing more than real gold to Mr. Taylor, having sold only the specimen, on the night referred to-which fact the counsel (Mr.

Judge Stuart urged the point that the simple fact of Mr. Taylor's desiring to make money in an illegal manner was not sufficient to exculpate the accused; and, as there was no gold to obtain in an illegal manner, it was impossible for Mr. Taylor to commit any illegal act. The bogus policeman arresting Mr. Taylor only a few minutes after leaving Bradford and Radeliff at the saloon, and the connection throughout, gave evidence of a preconcerted scheme of swindling.

Mr. Chatfield answered that Mr. Taylor knew at the time of the purchase of the gold dust that he was not to come in possession of it in a legal manner, and it was therefore impossible to prefer a charge of false pretenses. All these facts went to show, Mr. Chatfield said, that Mr. Taylor, in an attempt to cheat others, got cheated himself, and, finding that he had been duped, prefers a charge of robbery. Mr. Taylor intended to keep the property which he thought to be stolen, and committed other crimes in the case which showed himself (the complainant) to be the most guilty party concerned. The charge of false pretense was therefore not admissable.

Judge Welsh said that the law against false pre enses was made to protect honest men and not prison birds and swindlers in their schemes, and dismissed

CITY ITEMS.

MAY WEATHER .- We could not ask a more lovely condition of the atmosphere at May day than we have had for this one of 1859. Sunday, the first, was as clear and bright as ever shone; mild morning and evening, with a gentle south-west wind through the middle of the day, just cool enough to make woolen coats and shawls comfortable appendages to the wildflower gatherers. The earth was dry, and, from several previous sunny days, was warm enough for the children to enjoy themselves upon the green grass, which is unusually forward-and so are the sweet little violets of the woods and fields, while here and there the golden head of the dandelion peeps proudly through the grass. Peaches, cherries, plums, are in blossom, and apple buds begin to show their pink edges, and give promise of early beauty in a perfect mass of beautiful flowers. Gardens, too, both in city and country, begin to look cheerful, and, for May 1st certainly, very forward. With frequent warm Spring rains, we shall certainly have fruit and vegetables unusually early, netwithstanding we may have, as we did on Sunday evening a few miles north of the city, a slight frost. But the ground is too warm to make danger from frost much to be dreaded. So far as blossoms give promise of fruit, we never had more reason to rejoice over our prospects than upon this Monday, the 2d day of May, which is still more lovely than the first. From Ohio we hear that some pretty sharp frosts happened in the last ten days of but that fruits are uninjured. A letter dated Patterson, Juniata County, Pa., April 29, 1859, says: "This morning we had quite a frost, but it is the opinion of 'all in this section that the fruit is not injured yet "-the grain of all kinds looks very well, and old farmers say that they never saw the promise of as fair crops since they have been farm-"ers, Some have their corn planted already." A letter from Stark County, Ohio, says: "Wheat "never looked more promising than at present, not-"withstanding the open Winter and wet Spring." Another, from Wayne County, speaks most encouragingly of the appearance of wheat in that county: "It is very forward. Altogether, we think this county never had greater cause for rejoicing at May-day

"than it has the present year."

THE FIRST-SECOND OF MAY. - We are not positively certain that there is a modern mythology generally ac cepted by the genuflective multitude; but if there be there must be a large-sized and periodically potent deity who has in his special keeping the interests, pe-cuniarily speaking, of cartmen and cabinet-makers though seky cabinet-makers, we don't exactly see, for there is no such thing as a cabinet now made oftener than once in four years, and then it is too often out of such poor stuff that any respectable mechanic would blash if caught imposing it on the public as timber fit for Christian use. Perhaps the reader will remark that the last member of that last sentence is slightly irrelevant. Very well; let him say so; who cares Haven't we set us resolvedly down to write a \ (we'll bet more money that you don't know what that cabalistic sign means than we will that Sayers will whop Heepan in their little argument about the Championship of All Creation) about the 1st of May, and aren't w going to do it or hunt a vertebra (we flatter ourselves that osseous explosive os peculiar to this establishment, and that our anatomical knowledge here crops out to tolerable advantage), although the subject has been sucked drier than a drunk-for-four-days-on-bad-Port-Wine-and-waked-up-by-a-cry-of-Fire-at-1-in-themorning-only - to - find - the - water-jug-empty-and-no pump-nearer-than-the - one - inside - the - high - fence where-the-big-dog-is Old Soaker. Having built the foregoing adjective, and safely launched it into the well of English undefiled," we are prepared to try back, and return at a moderate pace to the Cartwheel 'elestial, whose supposititious existence we are prepared to argue, and whom we referred to in the first entence of this lucid paragraph, as the reader will find, if he has the courage again to try that fearfu

depth. That this new-fangled Knickerbocker god of high handed draymen and imperious cabinet-makers (and, for the matter of that, upholsterers and plumbers, to say nothing of painters and carpenters, and all patchers-up of all unconsidered but particularly expensive trifles, and not to bring into the account the butchers and bakers and candlestick-makers, and all the horde of the hard-handed who batten on the locomotive woes of their neighbors, and wax fat and kick when the orgies of the First of May approach) holds joyous revel at this unhappy season, all Gothamites know to their bitter sorrow. Breathes there a man with soul so dead. Who never to himself bath said, The day of all I hate and dread, Now lowers on my devoted head. And so when all my bills are ped (paid would be correct in prose, but this is poetry, we'd have you to know), I know I shan't have nary red.

This new Deity, whose worship is an iconoclasm of all other household gods, and a universal smashification of the Lares, also the Penates, whoever they may be, could by rights have demanded his annual sacrifice on Sunday last, which was the 1st of May, according to the regular calendar, but out of respect to the proprieties of a christian land, he didn't be his jubilee till yesterday, which was Monday, the 2d day of May, the month of moving and anniversaries and Quakers-and-rain. On horror's head, etc., why should the supernal powers overpower us with afflictions? "Tan-" There is a Latin quotation that fits in here, but the man who could quote straight Latin on a moving day, could preach a sermon on election while sitting under a brisk shower of volcanic fire without an umbrella, or stand half-way up to his knees in a rivulet of molten lava, and sing that sweet hymn about "a foretaste of immortal bliss," and as we are not that man, don't look out for Latin in this day's issue, for you won't get it, or if you do, it won't be A I.

But yesterday the sacrifice to the modernly in vented god who rules over the mortal movings, began. The streets were filled with cartloads, drayonds, wagon-loads, wheelbarrow-loads, and backloads of furniture in process of transportation from domus to domicil, from wretched home to home more wretched, from upheaved house to house a thousand times more uprooted and overturned. Innumerable were the smashes of tables, and bookcases, and the more penderous articles of furniture; uncounted were the comminuted fractures in huge mirrors; vast the number of legs and arms of chairs and sofas amputated summarily; measureless were the metallic tortures inflicted on groaning pianos, whose high-strung intervals were disturbed past all hope of surgery; more numerous than all the sands of any moderate sized sea-shore, were the fragments of lamps and vases, and crystal globes, and plates and pudding-dishes, and all the impossible-to-be-here enu-merated articles of household crockery. Many were the acres, yea, the square miles of carpets, of more hues than Joseph had in his brag coat, that were ripped and rent and ruined; and unnamable and indescribable, and unimaginable were the innumerable degrees and varieties of damage inflicted on every article contained in every honse whose owners had to obey the imperious edict of our new Deity of furnitureal damages and fractures, who thundered to all Gotham, "Move."

The cartmen were jolly: they were moved into jubilant singings and whistings, interspersed with oc casional pious ejaculations to their celestial boss. which, to ears uninitiated in the new theology, sounded profane. All mechanics were jolly, and are jolly, and will be joily for weeks to come, for is it not the reaping-time to them-the season of harvest sent them by their boss aforesaid, to whom they are all thankiul They do the sacrificing with a vengeance, but their customers have to find the offerings.

Happy are they whose homes are fixtures, and not subject to the fluctuations of the Spring season, and who, being thus exempt from paying tribute to the popular superstition, can snap their ecstatic fingers at the Sardonic Deity of all riot and smash, who holds high holiday on the First of May.

VISIT OF THE MILWAUKEE LIGHT GUARD TO THE CITY .- The Millwaukee Wisconsin of the 27th inst., says that the Millwankee Light Guard, Capt. John . Stackweather, will leave that city for New-York Monday, the 6th of June, by way of the Detroit and Millwaukee Railroad. They will pay visits on the way at Detroit, Buffalo and Albany, and will remain four days in New-York, one day under arms, and the remainder as citizens. On their return they will stop at Utica, Syracuse, Rochester and Niagara Falls. They purpose, also, a visit to Boston. The Wisconsin says that the Guard will turn out for the trip about fifty men, and will be accompanied, we understand, by Gov. Randall, Commander-in-Chief of the Wisconsin State Militia, Aid and Staff, Colonels Hans Crocker, Alexander Mitchell, etc., and a Company Staff composed of Mayor Page, U. S. Marshal Thomas, Judge Larrabee, Col. Dousman, Col. Nazro, etc., and by a number of the Honorary members of the Company. Capt. Scott's American Cornet Band with twenty pieces of music, has been engaged for the

THE STOCKERIDGE INDIANS' CLAIM .- A party of five Stockbridge Indians, three squaws, and a halfbreed, have made their appearance in Columbia County, and claimed certain lands in that county, which has already led to no little trouble to th present owners of the lands, and promises to continue

They took possession of a farm belonging to Mr. Hiver, about 200 acres, and were compelled by legal process (the result of three days' examination) to Not satisfied with this decision of Judge Peeks, before whom the suit was tried, the Indians commenced to break and destroy the trees, and again appeared before a Justice in Taghkanic, to answer charge of trespass, but bringing in a claim to the lands, the Justice was unable to try the case, and it will be brought before the Supreme Court.

Considerable excitement has been caused by this novement on the part of the Indians in that part of the county, and the result is looked forward to with deep interest. LIQUOR DEALERS VS. RUNSELLERS.-It is well

known that the large liquor dealers in this city have

been in the habit of selling to small groggeries their

liquors on a credit of from three to six months, taking their notes, but oftener taking mortgages upon their preperty for the security of their money. Where property for the security of their money. nortgages are taken, credit is generally given for one year. Recently several suits have been commenced for the purpose of enforcing payment for liquor ob-tained under these circumstances, but some legal gentlemen have interfered and inspired the large crowd of rumsellers with the belief that the law declares that it is positively against good morals to pay for bad liquor in every case where the creditor has not obtained a license under the Excise law; hence the debtors refuse to pay.

The Rev. George B. Cheever, D. D., will deliver a scourse upon the subject of "The Life and Character of the late lamented William Jay," in the Church of the Puritans next Sunday evening.

THE CORONERS' OFFICE.-Yesterday the Coroners, following the general example, removed their office to No. 4 Centre street, where commodious rooms have been provided for them by the Supervisors. Dr. Phillip O'Haulon, Deputy to Coroner Jackman, has resigned: Dr. John Beach succeeds him. ILLUMINATION AT QUARANTINE .- Acting-General

Quarantine, stating that the residents of that place rere about having a public rejoicing in consequence of the late legislative action for the removal of the hospitals, and asking that a police force be sent there to prevent any over-excited persons from firing the build-FATAL ACCIDENT ON THE HUBSON RIVER RAIL-DOAD. -The remains of a man named Michael Flaherty were picked up on the Hudson River Railroad on A train of cars had passed over the unfortunate man, tearing and mangling the body in a horrible manner,

Saturday morning last, a short distance below Hudson. leaving pieces along the track for the distance of 200 feet. He is supposed to have been lying upon the track, either intoxicated or asleep, as the engineer did not see him. His remains were carefully picked up and conveyed to Hudson, where an inquest was held on the body by Coroner Nichols. On the examination it was proved that the deceased was a fisherman in the employ of Mr. Lawton. In the afternoon he asked his employer for some money, as he wished to go town (meaning Hudson.) Mr. Lawton states that he gave him money, and told him to keep from the track on his way home. This admonition was unheeded, however, and there is no doubt but that he had drank too freely and lay down upon the track, when the train overtook and passed over him. The Company were cleared from all blame. Flaherty formerly resided in Pittsfield, was about 35 years of age and unmarried.

FATAL ACCIDENTS .- Joseph Heitelle, a child of 4

FATAL ACCIDENTS.—Joseph Heiletle, & Child of 4 years, fell from the third-story piszra of the rear house as No. 61 Crosby street, on Sanday evening, receiving injuries which resulted in its death.

A little girl of two years, named Margaret Lee, whose parents reside in Sixth avenue, between Fifty-first and Fifty-second streets, ran across the Sixth-avenue Raifrond track on Sanday evening, as a car was passing, and was knocked down and trampled upon by the horses, and injured by the brake so seriously that she died during the night. The inquiest, held yesterday, exonerated the driver from all blame. As Impious Pickpocker,-Three young men

AN IMPIOUS PICKPOCKET.—Three young men named Godfray, Goggles and St. Claire were arrested during the ceremonies connected with the laying of the corner stone of the German Catholic Church, corner of Forty-ninth street and Tenth avenue, on Sunday last. Officer Wilson, the party who made the arrest, was able to retain only the latter, Thomas St. Claire, he being furiously set upon by the rowdy associates of the light-fuggered gentry, before assistance could be obtained. The devoutly-minded participants in the ceremonies were exceedingly indignant at the invasion of the thieves into the immediate presence of the Archibishop, and requested the custody of St. Claire, threatening to lynch him. He was taken before Justice Welsh yesterday and committed.

PICKPOCKETS.—The corner-stone of the German Loherena Church, in Forty-ninth street, was laid on Sunday, John James and Wim, Jones, two well-known pickpockets, took advantage of the opportunity to relieve the pockets of the congregation in attendance. The being caught in the act, were sent to Blackwell's Island for sixty days each.

BURGLARY .- Francis O'Brien, having been found in

Di RGLARI, —Francis O Brien, naving been found in Prince street on Sunday, with a quantity of swords and muskets in his possession, was apprehended by Officer Webb, for bur-glariously entering the Concert Hail of Richard W. Williams, No. 72 Prince street, and stealing said arms therefrom. Justice Bren-nau committed him for trial.

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[Advertisement.]

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English Velvets, 9] to 12] per yard.

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HIRAM ANDERSON, No. 99 Bowery. (Advertisement.)

TRUSSES, SHOULDER-BRACES, ELASTIC STOCK-INGS, INSTRUMENTS for Bow-Legs, Club-Feet and all deformities of the body. Also, Dr. Gloven's new Leven Trusses—the best now in use. No. 4 Ann-st., near Broadway.

[Advertisement.] We have been notified that on WEDNESDAY, May 4. A. J. BLEECKER & Co., will sell at auction, at the I chants' Exchange, 40 magnificent building lots, situate on and 59th-st., and the 19th and 11th-says. Each one of these from its proximity to the Central Park, will be a fortune in

GURNEY'S NEW PHOTOGRAPHIC AND FINE ART GALLERY, No. 707 Broadway, first block below the New York Hotel. Photographs, Daguerreotypes, Minatures in Oil and Ivorytypes. [Advertisement.] Strangers attending the Anniversaries should not

fall to obtain a correct Phrenological Delineat Fowler & Wells, No. 308 Broadway. [Advertisement. LAST WEEK OF THE SEASON .- Dr. KENNEDY

will be at his office, under the Smithsonian House, entrance on Houston-st., during the first week in May. All his patients who are under treatment for Scrofula, Saltrheum, Erysjelesa, Ringworm, Scald Head, Running of the Ears, Pimples on the face, Fever Sores, Ulcerated Sore Legs, or any disease of the skin, are requested to call this week and get medicine enough to complete their cure. [Advertisement.]

GENUINE COCOAINE. FOR DRESSING THE HAIR.

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"BURNETT'S COCOAINE. - Messrs. JOSEPH BURNETT & Co., Boston, are the well-known manufacturers of this celebrated article for the hair, which is now fully established

in its popularity, and recommended by physicians and chemists through the United States. Mr. Bunnerr's abilities as a chem. ist have enabled him to produce a compound, combining the properties of the Coccanut Oil with a peculiar vegetable tonic sufficiently to preserve and promote the healthy growth of the heir, at the same time that it is unequaled as an article for the oilet."-Taunton Gazette. On THURSDAY, May 5, the steamship Circas-

STAN will spin sail for Gat, way, via St. Johns, having just completed a voyage to Galway and back in one month. Tickets only 8.30, including cooked provisions served on tables, and a free Railroad theket to any part of Ireland. Apply to ANERICAN EXPRESS Co., No. 61 Hudson st., corner of Jay.

C. C. C. C. C. C. C. By the timely use of Mrs. M. N. Gardner's isotas Balsam of Liverwort, the best and most effectually remedial agent ever offered in all Pulmonary complaints. For sale everywhere.

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The office of The Scalpel is at No. I Vessy-st., Aster House,
where all literary and business communications must be left.

METALLIC TABLET RAZOR STROP.—This is

[Advertisement.]

GAS, GAS.—GAS FIXTURES, of new and beautiful designs, will be found at our great Manufacturing Depot, Re 276 Broadway. Whoseale trade capecially invited.

Warvar, PECK & Go.

LAW INTELLIGENCE.

COURT OF OYER AND TERMINER.—May 2.—Before
Judge Davies.

At the meeting of the Court, Mr. Waterbury moved
on the trial of Wm. H. Drake and Patrick Duffy, impleaded with
Joseph Coburn for assault and battery on Samuel Davison, a pelicercan.

cerman. Ex. Judge Phillips, counsel for the prisoners, applied for a past onement, on the ground that he did not know the case was set penement, on the ground that he did not know the case was endown for trial to-day.

The District Attorney consented to a postponement till Tass day morning, to which time the Court was adjourned.

SUPREME COURT.—GENERAL TERM.—MAY 2.—Before
Judges ROONEVELT, INGRAHAM and PRATT.
APPOINTMENT OF EXAMINERS.
The Court appointed John E. Burrill, Henry Nicoll,
and Waldo Hutchins, ceqs., examiners to examine applicants for
admission to practice. The examination will take place on
Wednesday, 4th inst., at 8 o'clock p. m.

Before Judges ROOSEVALT, DAVIES and CLERKE.

Geo. T. Jackson agt. Obadiah L. Sheldon.—Orda versed, without costs—Clerke, J., dissenting. Isadore Lansberger agt. The Magnetic Telegraph

Superintendent Carpenter yesterday morning received Company.—Order affirmed, with costs.

Pennsylvania Coal Company agt. The President,
Managers and Company of the Delaware and Hudson Canal Company.—Judgment at Special Torm reversed, without costs of appeal, and new judgment to be entered for plaintiffs, without
costs; form to be settled by Judge Clerke, on notice—Davies, J., a letter from one of the Committee of Arrangements a

dissenting.

Alanson Robinson agt. Frederick M. Kelley, &c.;
Ebenezet Kelley att. Same; James E. Kelley att. Same; Ebenezet Kelley, President, &c., ast. Same:—Judgments reversed, and complaints dismissed, without costs—Davies, J., dissenting.

Henry Mixer agt. Chas. Ely; Turner agt. Edgar;
People agt. Francis Didler; Silas Brown agt. Osborn Birdsall;
Rocarey agt. Avery.—Decisions readered in April. All the Judges concur.

In re North American Gutta-Percha Company.-Order appealed from affirmed, with costs.

Geo. K. Roberts agt. John W. Carter; Edmund Ter-y agt. Geo. K. Roberts.—Order of Special Term reversed, with Stephen Moers agt. Augustus Moro, &c:-Order re-

using to vacate arrest affirmed, with costs.

Oren M. Bearch agt. Norman M. Washbura.—Order
fframed, without costs.

David Winebienner agt. Abel T. Edgarton.—Order holding statement, on confession of judgment to be a versed, without costs.

In Chambers—Before Judge Davies.

CASES SETTLED.

Ezra P. Davis, Receiver, agt. Francis Morris et al.;
Abner H. Richmond agt. George H. Power; Pierre Valita agt.
Robert Barstow, Robert Sheills agt. William N. Brady. Nicholas Wernert agt. Margaret Wernert.—Judg.

Nicholas Departs
Before Judge Isunanam.

In re-Assessment for Filling Lots on Forty-first
dreet.—Judgment vacating assessment.

IMPORTANT ASSESSMENT CASE.

IMPORTANT ASSESSMENT CASE.

ASSESSMENT ACT OF 1858 EXAMINED AND CONSTRUED. In the matter of the petition of Frederick J. Beams and others to vacate assessment for flagging, &c., Most street.

On the 23d of February, 1855, a resolution was passed by the Board of Councilmen directing that the east side of Mott street, between Spring and Prince streets, be flagged, reflagged, &c. The resolution was not adopted by the Board of Aldermen until the 11th of August, 1856. It was approved by the Mayor, August 13, 1856. Under this resolution and the accompanying ordinance the Street Commissioner wonton and side the work. An assessment to pay the expenses of the work was subsequently imposed, and two lots belonging to the petitioners were assessed \$438 51. The petitioners applied, under the provisions of the act of 1858 relative to frauds and irregularities in the imposition of assessments, to have the assessment senies, et aside, on the ground that the resolution and ordinance, having been passed by the two Boards of the Common Council in different years, were vaid.

Abraham & Lawrence, jr., for petitioner; Richard Busteed, Corporation Counsel, for the City.

Busteed, Corporation Counsel, for the City.

OPINION.

INGRHAM, J.—This petition is presented, under the act of 1828, p. 574, to set aside an assessment for flagging in Mottstreet, on the ground of irregularity. The resolution and ordinance and or which the work was done, were adopted during different years in the Common Council, the same having been passed by the Board of Councilmen in February 1835, and by the Board of Aldermen in August, 1836. It is unincreasing for me to express any opinion on a tise question whether an act of the Common Council can be valid, which was adopted by one Board in one year, and by the other Board in a succeeding year, an election of members of one or both Roards having taken place intermediate the action of the two Boards. The General Term of this District, in Wetmore vs. Story, 22 Barb, p. 414, have held that such an act is not valid as a resolution of the Common Council. Whatever may be my views of that question, I am controlled by this decision. Considering this question as settled by the Supreme Count, it is clear that there has been a legal irregularity in the passing of the ordinance, and that any proceedings under it are musturbrized. The Counsel for the Corporation, however, objects that, inasmuch as the act was passed after the assessments was laid, the same is not affected by that law, and that the statute under which this relief is sught was not intended to be retroactive in its operation, but should be confined to assessments thereafter laid. I was at first inclined to adopt such a conclusion from the manifest impropriety of the passage of laws which, in

was faid, the same is not affected by that law, and that the statute under which this relief is sught was not intended to be retractive in its operation, but should be confined to assessments thereafter laid. I was at first inclined to adopt such a conclusion from the manifest impropriety of the passage of laws which, in their operation, were to affect existing rights, and if such was the effect of this proceeding, I should still be disposed to adopt that role. The act itself is sufficiently comprehensive to cover both classes of assessments, those adopted and assessed before the passage of the statute as well as afterward. But, upon more reflection, I have come to the conclusion that there is nothing in the case which will prevent the operation of the act upon assessments laid previous to its passage. There are ne rights acquired which are affected by it. If the assessment was illegal and void, in consequence of the illegal passage of the ordinance, no right was acquired under such assessments which can be legally enforced. A full and ample remedy now exists by action against any one attempting to enforce an illegal assessment, although such remedy is difficult and not often resorted to on secount of its expense, and perhaps uncertainty attending a long litigation. The Legislature have by the present statute provided an easier, cheaper, and more expeditions mode of statining the same result. I can consider the proceeding as only affecting or adding that igation. The Legislature have by the present statute provided an easier, cheaper, and more expeditious mode of attaining the same result. I can consider the proceeding as only affecting or adding to the remedy, and not interfering with vested rights, and in that view the statute should be sustained. I concern the opinion of Mr. Justice Davies in the case of the assessment for flagging Fifty-fourth street, as to the beneficial operation of this act. To those whose interests are most affected by illegal assessments, it affords a very suitable remedy, without rendering it necessary for them to incore the lazard and delay which would follow from the old mode of relief, viz., to contest the legality of the proceedings after the property has been sold for the assessment, and then assuming the risk that by an adverse decision they may lose the property sold. My conclusions are that the statute applies to assessment made either before or after its passate; that in the present case the proceedings were irregular, and that judgment must be rendered declaring such assessment vacated, and directing that the lien created thereby shall cease.

COURT OF GENERAL SESSIONS.—May 2.—Before Judge
RUSSELL.

The following Grand Jury were impanneled for the
May Term immediately at the opening of the Court this morning:
JAMES B. NICHOLOSO, Foreman.
John Jacob Astor, Jr., Edward B. Fellows,
Francis H. Amidon, Andrew Foster,
Andrew Foster,
Andrew Anderson,
Edward A. Boyd,
James Hunter,
William H. Knapp,
James Bogardus,
Eben B. Crocker,
Samuel N. Dodge,
Burtla Skidmore,
Francis Endicott,
Barnel T. Skidmore, Andrew Anderson, Edward A. Boyd, James Bogardus, Eben B. Crocker, Samuel N. Dodge, Francis Endicott, Daniel H. Tompkins,

James Bogardis,
Eben B. Crocker,
Samuel N. Dodge,
Francis Endicott,
Daniel H. Tompkins,
Elmathan Thorn,
Evans J. Walker.

Judge Russell L. Canged the Grand Jury very briefly, instructing the jurors on the usual matters connected with the discharge of their duties and the provisions of the stature.

Several petit juorors were fined \$25 each for non-attendance.
Several petit juorors were fined \$25 each for non-attendance.
Patrick Brady, who pleaded guilty a long time ago of assault with intent to do bodily harm, was arraigned for sentence. He had been in prison since January 29, and has a wife and very large family. In consideration of these circumstances and others Judge Russell suspended the sentence.

George Reyer, 17 years of age, who pleaded guilty of an attempt at grand larcenty, was sent to the House of Refuge.
Thomas Bowen, a canalabout captain, indicted for passing counterfeits, was tried, and acquitted on the "ground of variance between the indictment and the proof," and, on matten of the District Attorney, the prisoner was remanded.

George Taylor was arrested and tried for carrying a slungshot, on the 25th of March, which officer Stanley found concealed in his pocket, in violation of the law of this State. Taylor was acquitted because it was not shown that he had the alungshot, with the intent to use it.

Daniel Hurley was tried, charged with burglary and larceny.

The burglary was not sufficiently proved to convict, and the Jury were charged to pronounce a verticet of guilty or not quilty of petity larceny. After considerable deliberation and discussion they disagreed and were discharged, and the psisoner was remanded.

The Court adjourned to II a. m. on Tuesday.

The Court adjourned to 11 s. m. on Tuesday

COURT OF APPEALS.

COURT OF APPEALS.

Hamilton agt. Taylor.—In an action for money lent and advanced, the plaintiff proved a chattel mortage executed by the defendant, reciting that he was justly indebted to the plaintiff groved a chattel mortage executed by the defendant, reciting that he was justly indebted to the plaintiff "for advances made by him under a contract, dated September 11, 1849, which is, by an instrument bearing even date herewith, caucelled, waived and abandoned by all the parties thereto." Is a subsequent claims of the mortage it was declared to be made only to seem the application of the proceeds of the sales of certain property to the payment of the plaintiff's claim, and its containt of the position of the process of the sales of certain property to the payment of the plaintiff's claim, and its containt to evidence for the defendant to apply them. Held, that the contract and release mentioned in the mortage were emperent evidence for the defendant to apply in the admission of indebtedness and disprove the existence of any personal demand against him.

against him.

Bank of Genesee agt. Spencer—An order of the Supreme Court, refusing to set aside an execution issued without cave, after five years, is not appealable.

It seems that such an execution is not void, but only voidable, in the discretion of the Court from which it issued.

COURT CALENDAR-THIS DAY. UNITED STATES DISTRICT COURT.-New term to-

SUPREME COURT-GENERAL TERM .- Nos. 1, 3 to 17, 20, 22, 23, 24.

SUPREME COURT—CIRCUIT.—PART I.—Oyer and Terminer. Part II.—Nos. 1149, 1891, 1419, 1691, 661, 661, 1233, 1643, 749, 739, 1110, 1303, 725, 267, 1800, 1679, 1690, 1681, 801, 1685, 1125.